

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GAIL DINES,
Plaintiff,

v.

WHEELOCK COLLEGE,
a corporation, JACKIE JENKINS-SCOTT, in
her official and individual capacities,
KATHERINE S. TAYLOR, in her official and
individual capacities; and KINGSTON BAY
GROUP, a limited liability corporation,
Defendants.

C.A. No. 1:16-cv-11876-GAO

AFFIDAVIT OF JEFFREY L. HIRSCH

I, Jeffrey L. Hirsch, declare the following:

1. I am attorney licensed to practice law in the Commonwealth of Massachusetts (1982) and the states of New York (1983) and New Hampshire (2004). I am a founding partner of the law firm of Hirsch Roberts Weinstein LLP. I have been a Fellow of the College of Labor and Employment Lawyers since 2005.

2. I have represented Wheelock College in connection with labor and employment matters since February 2009.

3. I have personal knowledge of the facts set forth herein unless expressly stated otherwise.

4. This affidavit is filed in support of the Wheelock Defendants' Opposition to Motion for Admission of Visiting Lawyer *Pro Hac Vice*.

5. A copy of an August 4, 2015 letter from Attorney Olivarius to Kate Taylor, Chair of Wheelock's Board of Trustees, is attached as Exhibit A.

6. A copy of an August 10, 2015 letter I wrote to Attorney Olivarius asking that she refrain from any further direct communication with Wheelock is attached as Exhibit B.

7. A copy of an August 13, 2015 letter from Attorney Olivarius in response to my August 10, 2015 letter is attached as Exhibit C.

8. A copy of a July 5, 2016 email from Dr. Silverman to members of Wheelock's Board of Trustees is attached as Exhibit D. Dr. Silverman attached a 500-page document entitled Response to the Sanghavi Report to the email, appended to which was a document titled "Statement Concerning the Sanghavi Report from Dr. Ann Olivarius" (the "Olivarius Statement"). A copy of the Olivarius Statement is attached hereto as Exhibit E.

9. After learning about the Olivarius Statement, I contacted Attorney Olivarius by mail and email on July 25, 2016 to again insist that she comply with her ethical obligation with respect to communications with Wheelock. A copy of my July 25, 2016 letter is attached hereto as Exhibit F.

10. In an August 19, 2016 meeting to discuss the possible resolution of her claims against Wheelock, Dr. Joan Gallos gave College President Dr. David Chard a document titled "Jury Verdicts Informing An Analysis In [three purported lawsuits by Drs. Silverman, Dines, and Gallos]." A copy of the document titled "Jury Verdicts Informing An Analysis In [three purported lawsuits by Drs. Silverman, Dines, and Gallos]" is attached as Exhibit G.

11. A copy of a July 29, 2016 email from Attorney Olivarius to me in which she denied communicating directly with the College's Board of Trustees is attached as Exhibit H.

12. I declare under the penalties of perjury on this 10th day of November 2016 that the foregoing is correct and true.

/s/ Jeffrey L. Hirsch
Jeffrey L. Hirsch (BBO No. 235530)

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on November 10, 2016.

/s/ Scott A. Roberts